

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

WILLIAM JOHN CONNORS, III,

Plaintiff,

vs.

DAVID ROGERS,

Defendant,

3:11-cv-00530-ECR-RAM

ORDER

Plaintiff has submitted an action apparently seeking release of the “vessel William-John Connors, III ©” from the possession or custody of Clark County and its district attorney. The true nature of the relief sought and the facts underlying the action are unclear from the contents of the matters submitted, which include the “In Rem” Complaint along with a Notice of Special Appearance, a purported Removal Bond, a Petition of Removal invoking “special admiralty jurisdiction In Rem” and a Request for Waiver of Service addressed to respondent David Rogers (ECF No. 1, and 1-1- through 1-6).<sup>1</sup> It appears, however, that plaintiff believes he, the vessel, is being wrongfully possessed or held in the custody of Clark County District Attorney David Rogers. *See* Complaint In Rem, p. 2 of 5,

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<sup>1</sup> It appears that plaintiff has designated himself a “vessel” and seeks the application of maritime law in “Special Admiralty Jurisdiction.” The purpose of this designation is unclear and appears to be completely fanciful. The documents filed along with the in rem complaint also raise questions as to their purpose or intent.

1 paragraph 2 and paragraph 3(A). The matters before the Court raise various questions and concerns  
2 which must be resolved before the matter can proceed.

3 First, plaintiff has neither paid the required filing fee nor filed an appropriate motion for  
4 leave to proceed *in forma pauperis*. The documents before the Court cannot be filed and will not receive  
5 further review without either payment of the required filing fee or a grant of leave to proceed *in forma*  
6 *pauperis* based on a fully complete motion.

7 The filing fee for proceeding on a petition for writ of habeas corpus pursuant to 28 U.S.C.  
8 2254, which might possibly be the proper vehicle in this instance is \$5. The filing fee for proceeding  
9 on a civil complaint is \$350. Based on the contents of the submissions made by the plaintiff, the Court  
10 is unclear what he desires to accomplish through this action. Plaintiff shall be sent the correct pauper  
11 form for use should he wish to file a motion for leave to proceed *in forma pauperis* in this action.  
12 Accordingly, Plaintiff shall be given leave to proceed *in forma pauperis* on a temporary basis.

13 Second, as indicated, the nature of the action plaintiff wishes to pursue is unclear.  
14 Plaintiff shall also be sent the forms and instructions for filing a habeas petition and a civil rights action.  
15 Plaintiff should use the proper form, following the proper instructions, to amend his initiating documents  
16 in order to present a coherent cause of action which describes for the court the relief sought and the facts  
17 entitling plaintiff to that relief.

18 **IT IS THEREFORE ORDERED** that plaintiff is granted leave to proceed *in forma*  
19 *pauperis* on a temporary basis.

20 **IT IS FURTHER ORDERED** that the Clerk shall send to plaintiff a set of forms for a  
21 motion to proceed *in forma pauperis*, as well as instructions and forms for a petition for writ of habeas  
22 corpus pursuant to 28 U.S.C. § 2254 and a civil rights action. Plaintiff shall have thirty (30) days from  
23 the date of the entry of this order within which to either pay the required filing fee, or file a fully and  
24 properly completed motion for leave to proceed *in forma pauperis*, including a financial certified signed  
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1 by the proper prison or jail official. The failure to timely do so will result in the dismissal of this action.

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3 Dated 1<sup>st</sup> day of August 2011.

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5 UNITED STATES DISTRICT JUDGE  
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